ORDINANCE NO. Z-11-03-10-9A1

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ROUND ROCK, TEXAS ADOPTED IN SECTION 46-132(b)(1), CODE OF ORDINANCES (2010 EDITION), CITY OF ROUND ROCK, TEXAS, AND MAKING THIS AMENDMENT A PART OF THE SAID OFFICIAL ZONING MAP, TO WIT: TO REZONE 34.76 ACRES OF LAND, OUT OF J. M. HARRELL SURVEY, ABSTRACT NO. 284, IN ROUND ROCK, WILLIAMSON COUNTY, TEXAS, FROM DISTRICT PUD NO. 39 (PLANNED UNIT DEVELOPMENT) TO DISTRICT PUD NO. 89 (PLANNED UNIT DEVELOPMENT).

WHEREAS, an application has been made to the City Council of the City of Round Rock, Texas to amend the Official Zoning Map to rezone 34.76 acres of land, out of J. M. Harrell Survey, Abstract No. 284, in Round Rock, Williamson County, Texas, being more fully described in Exhibit "A" attached hereto, from District PUD No. 39 (Planned Unit Development) to District PUD No. 89 (Planned Unit Development), and

WHEREAS, the City Council has submitted the requested change in the Official Zoning Map to the Planning and Zoning Commission for its recommendation and report, and

WHEREAS, the Planning and Zoning Commission held a public hearing concerning the requested change on the 2nd day of February 2011, following lawful publication of the notice of said public hearing, and

WHEREAS, after considering the public testimony received at such hearing, the Planning and Zoning Commission has recommended that the Official Zoning Map be amended so that the property described in Exhibit "A" be zoned District PUD No. 89 (Planned Unit Development), and

WHEREAS, on the 10th day of March, 2011, after proper notification, the City Council held a public hearing on the requested amendment, and

WHEREAS, the City Council determines that the zoning provided for herein promotes the health, safety, morals and protects and preserves the general welfare of the community, and

WHEREAS, each and every requirement set forth in Chapter 211, Sub-Chapter A., Texas Local Government Code, and Section 46-92 and Section 46-132, Code of Ordinances (2011 Edition), City of Round Rock, Texas concerning public notices, hearings, and other procedural matters has been fully complied with, Now Therefore

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROUND ROCK, TEXAS:

I.

That the Official Zoning Map adopted in Section 46-132(b)(1), Code of Ordinances (2010 Edition), City of Round Rock, Texas, is hereby amended so that the zoning classification of the property described in Exhibit "A" is hereafter designated as District PUD No. 89 (Planned Unit Development) and the Mayor is hereby authorized and directed to enter into the Development Plan for PUD No. 89, attached hereto as **Exhibit "B"**, which agreement shall govern the development and use of said property.

II.

That the City Council has hereby determined that PUD No. 89 meets the following goals and objectives:

(1) The development in PUD No. 89 is equal to or superior to development that would occur under the standard ordinance requirements;

(2) PUD No. 89 is in harmony with the general purposes, goals, objectives and standards of the General Plan;

(3) PUD No. 89 does not have an undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utilities or any other matters affecting the public health, safety and general welfare;

(4) PUD No. 89 will be adequately provisioned by essential public facilities and services including streets, parking, drainage, water, wastewater facilities, and other necessary utilities; and

(5) PUD No. 89 will be constructed, arranged and maintained so as not to dominate, by scale and massing of structures, the immediate neighboring properties or interfere with their development or use in accordance with any existing zoning district.

III.

A. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

B. The invalidity of any section or provision of this ordinance shall not invalidate other sections or provisions thereof.

C. The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this Ordinance and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

Alternative 1.

By motion duly made, seconded and passed with an affirmative vote of all the Council members present, the requirement for reading this ordinance on two separate days was dispensed with.

READ, **PASSED**, and **ADOPTED** on first reading this 10th day of March, 2011.

Alternative 2.

READ and **APPROVED** on first reading this the _____ day of _____, 2011.

READ, **APPROVED** and **ADOPTED** on second reading this the _____ day of _____, 2011.

ALAN MCGRAW, Mayor
City of Round Rock, Texas

ATTEST:

SARA L. WHITE, City Secretary

EXHIBIT

"A"

DESCRIPTION

FOR A 34.76 ACRE TRACT OF LAND SITUATED IN THE J. M. HARRELL SURVEY, ABSTRACT NO. 284, WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF A CALLED 43.50 ACRE TRACT OF LAND AS DESCRIBED IN THAT DEED TO SV-ONA LaFRONTERA LAND LIMITED PARTNERSHIP AND RECORDED IN DOCUMENT NO. 2006101706 OF THE OFFICIAL PUBLIC RECORDS OF SAID COUNTY, SAID 34.76 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" iron rod found with "Baker-Aicklen" cap for the most easterly northeast corner of said 43.50 acre tract, same being the northwest corner of Lot 1, Block G, Amending Plat of Lots 1 and 3, Block G, La Frontera Section IIIB, a subdivision recorded in Cabinet V, Slides 145 – 146 of the Plat Records of said county, being on the south right-of-way line Sundance Parkway (80' right-of-way width), for the most easterly northeast corner and **POINT OF BEGINNING** hereof;

THENCE with the east line of said 43.50 acre tract, same being with the west line of said Lot 1, Block G, Amending Plat of Lots 1 and 3, Block G, La Frontera Section IIIB **S 20° 29' 15" E** for a distance of **144.81** feet to a ½" iron rod found with "Baker-Aicklen" cap for the northeast corner of Lot 1, Block A, Frontera Vista, a subdivision recorded in Cabinet DD, Slides 288 – 290 of the Plat Records of said county, for an angle point hereof, from which a ½" iron rod found with "Baker-Aicklen" cap for an angle point on the east line of said 43.50 acre tract bears, S 20° 29' 15" E for a distance of 162.24 feet;

THENCE through the interior of said 43.50 acre tract, with the north and west lines of said Lot 1, Block A, Frontera Vista, the following two (2) courses and distances:

1) **S 80° 15' 02" W** for a distance of **761.81** feet to a ½" iron rod found with "Baker-Aicklen" cap for the northwest corner of said Lot 1, Block A, Frontera Vista, for an angle point hereof, and

2) **S 09° 44' 58" E** for a distance of **483.67** feet to a ½" iron rod found with "Baker-Aicklen" cap for the southwest corner of said Lot 1, Block A, Frontera Vista, being on the south line of said 43.50 acre tract, same being the north right-of-way line of State Highway No. 45 (right-of-way width varies), for the most southerly southeast corner hereof, from which a ½" iron rod found with "Baker-Aicklen" cap for the southeast corner of said 43.50 acre tract bears, N 80° 15' 02" E for a distance of 792.06 feet;

THENCE with the south line of said 43.50 acre tract, same being the north right-of-way line of said State Highway No. 45, **S 80° 15' 02" W** for a distance of **894.47** feet to a TXDOT type II brass disc found for the southwest corner of said 43.50 acre tract, same being the intersection of the north right-of-way line of said State Highway No. 45 and the east right-of-way line of Old County Road 172, for the southwest corner hereof;

THENCE with the west line of said 43.50 acre tract, same being the east right-of-way line of said Old County Road 172, **N 17° 41' 09" W** for a distance of **1397.34** feet to a ½" iron rod found with "Baker-Aicklen" cap for the northwest corner of said 43.50 acre tract, same being the intersection of the east right-of-way line of said Old County Road 172 and the south right-of-way line of Hesters Crossing (100 foot right-of-way width), for the northwest corner hereof;

THENCE with the north line of said 43.50 acre tract, same being the south right-of-way line of said Hesters Crossing, the following three (3) courses and distances:

1) with the arc of a curve to the left, having a radius of **1055.00** feet, an arc length of **272.67** feet, a central angle of **14° 48' 31"**, and a chord which bears, **N 64° 55' 47" E** for a distance of **271.91** feet to a ½" iron rod found with "Baker-Aicklen" cap for a point of reverse curvature hereof,

2) with the arc of a curve to the right, having a radius of **950.00** feet, an arc length of **154.48** feet, a central angle of **09° 19' 00"**, and a chord which bears, **N 62° 11' 02" E** for a distance of **154.31** feet to a ½" iron rod found with "Baker-Aicklen" cap for a point of tangency hereof, and

3) **N 66° 50' 32" E** (Basis of Bearings) for a distance of **338.34** feet to a ½" iron rod found with "Baker-Aicklen" cap for a point of curvature hereof;

THENCE with the curving intersection of the south right-of-way line of said Hesters Crossing and the west right-of-way line of said Sundance Parkway, with the arc of a curve to the **right**, having a radius of **15.00** feet, an arc length of **23.56** feet, a central angle of **90° 00' 00"**, and chord which bears, **S 68° 09' 28" E** for a distance of **21.21** feet to a ½" iron rod found with "Baker-Aicklen" cap for a point of tangency hereof;

THENCE with the north line of said 43.50 acre tract, same being the west and south right-of-way line of said Sundance Parkway, the following two (2) courses and distances:

1) **S 23° 09' 28" E** for a distance of **234.48** feet to a ½" iron rod found with "Baker-Aicklen" cap for a point of curvature hereof, and

2) with the arc of a curve to the **left**, having a radius of **940.00** feet, an arc length of **1354.10** feet, a central angle of **82° 32' 12"**, and a chord which bears, **S 64° 25' 34" E** for a distance of **1240.02** feet to the **POINT OF BEGINNING** and containing 34.76 acres of land.

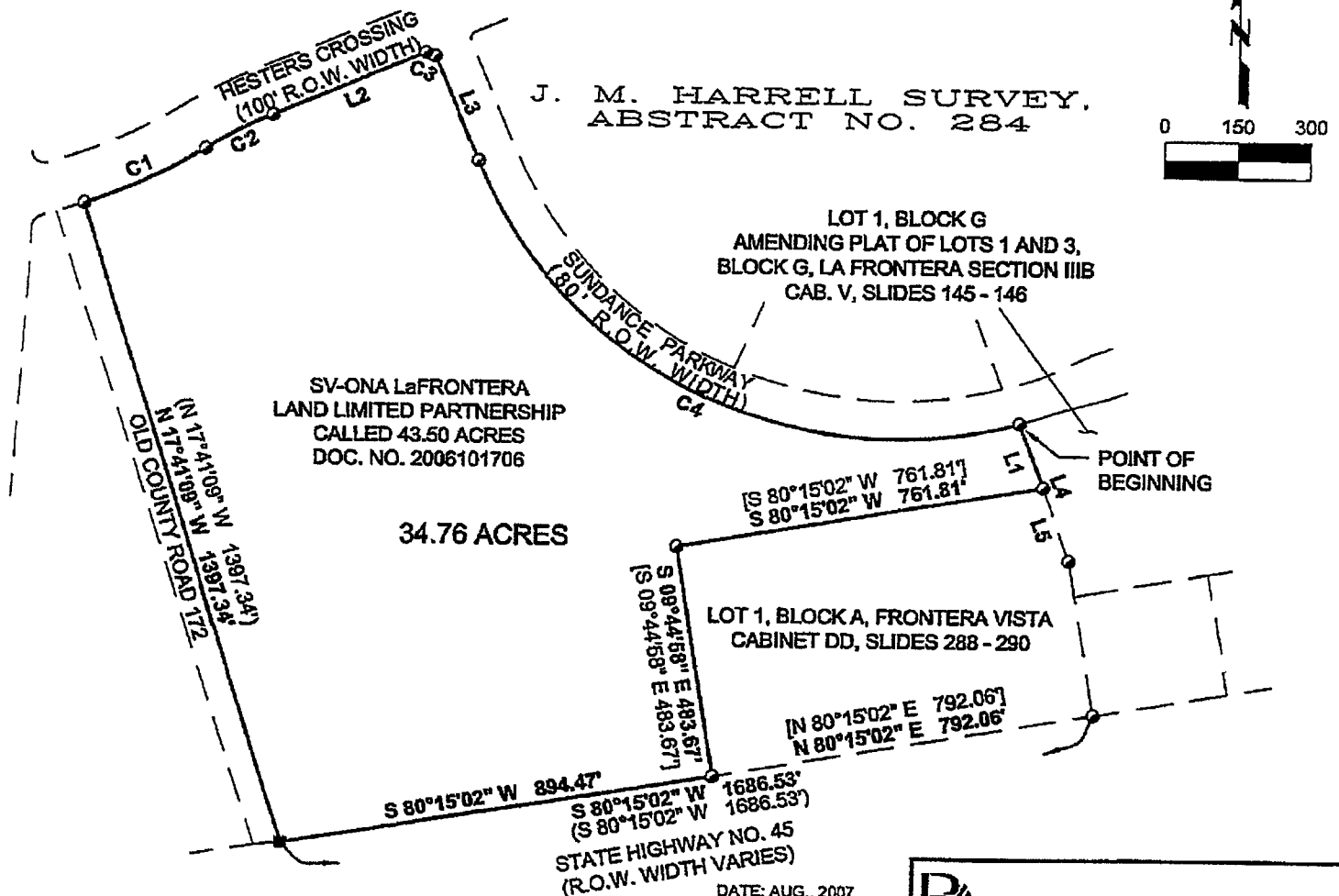
Surveyed under the direct supervision of the undersigned during August, 2007:

Margaret A. Nolen
Registered Professional Land Surveyor No. 5589
BAKER-AICKLEN & ASSOCIATES, INC.
405 Brushy Creek Road
Cedar Park, Texas 78613
(512) 260-3700

STATE OF TEXAS
REGISTERED
MARGARET A. NOLEN
5589
PROFESSIONAL
LAND SURVEYOR

Job No.:
Filename:
W:\PROJECTS\LAFRONTERA\PROJECTS\BLOCK C LESS VISTA\PROJECTS\KETCH PUD\METES AND BOUNDS\LA FRONTERA BLOCK C LESS VISTA.DOC

SKETCH TO ACCOMPANY DESCRIPTION



DATE: AUG., 2007
JOB NO.:
BY: M. NOLEN
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BAKER-AICKLEN & ASSOCIATES, INC.
Engineers • Surveyors • GIS • Planning
405 BRUSHY CREEK RD.
CEDAR PARK, TX 78613
(512) 260-2700

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SKETCH TO ACCOMPANY DESCRIPTION

NUMBER	RADIUS	ARC	CEN. ANGLE	CH. BRG.	CHORD
C1	1055.00' (1055.00')	272.67' (272.67')	14°48'31" (14°48'31")	N 64°55'47" E (N 64°55'47" E)	271.91' (271.91')
C2	950.00' (950.00')	154.48' (154.48')	09°19'00" (09°19'00")	N 62°11'02" E (N 62°11'02" E)	154.31' (154.31')
C3	15.00' (15.00')	23.56' (23.56')	90°00'00" (90°00'00")	S 68°09'28" E (S 68°09'28" E)	21.21' (21.21')
C4	940.00' (940.00')	1354.10' (1354.10')	82°32'12" (82°32'12")	S 64°25'34" E (S 64°25'34" E)	1240.02' (1240.02')

NUMBER	BEARING	DISTANCE
L1	S 20°29'15" E	144.81'
L2	N 66°50'32" E (N 66°50'32" E) BASIS OF BEARINGS	338.34' (338.34')
L3	S 23°09'28" E (S 23°09'28" E)	234.48' (234.48')
L4	S 20°29'15" E (S 20°29'15" E)	307.05' (307.05')
L5	S 20°29'15" E [S 20°29'15" E]	162.24' [162.24']

◐ 1/2" IRON ROD FOUND WITH "BAKER-AICKLEN" CAP

■ TXDOT TYPE II BRASS DISC FOUND

( ) RECORD BEARING AND DISTANCE PER DOC. NO. 2006101706

[ ] RECORD BEARING AND DISTANCE PER CAB. DD, SLIDE 288 - 290

DATE: AUG., 2007
JOB NO.:
BY: M. NOLEN
PAGE 5 OF 5

BAKER-AICKLEN & ASSOCIATES, INC.
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405 BRUSHY CREEK RD.
CEDAR PARK, TX 78613
512 260 3700

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EXHIBIT

"B"

DEVELOPMENT PLAN
FRONTERA VISTA
PLANNED UNIT DEVELOPMENT NO. 89

THE STATE OF TEXAS §
COUNTY OF WILLIAMSON §

THIS DEVELOPMENT PLAN (this "Plan") is adopted and approved by the CITY OF ROUND ROCK, TEXAS (hereinafter referred to as the "City"). For purposes of this Plan, the term Owner shall mean SV-ONA La Frontera Land Limited Partnership, its respective successors and assigns; provided, however, upon sale, transfer or conveyance of portions of the hereinafter described property, the duties and obligations of the Owner, as it relates to the respective property, shall be assumed by the new owner, and the Owner shall have no further liability relating to their respective property.

WHEREAS, the Owner is the owner of certain real property consisting of 34.76 acres, as more particularly described in **Exhibit "A"**, (herein after referred to as the "Property") attached hereto and made a part hereof; and

WHEREAS, the Property was a portion of Planned Unit Development No. 39, approved by the City as Ordinance No. Z-99-02-25-12B4 ("PUD 39") and amended by the City as Ordinance No. Z-01-02-22-9A1 and administratively amended on February 20, 2008; and

WHEREAS, the City rezoned two other properties which were portions of PUD 39, Ordinance No. 06-12-21-8A2 ("PUD 70") and Ordinance No. 07-01-11-12A1 ("PUD 72"); and

WHEREAS, The Owner has submitted a request to the City to rezone the Property as a Planned Unit Development (the "PUD"); and

WHEREAS, pursuant to Section 46-106 of the Round Rock City Code, the Owner has submitted a development plan which has been included as a part of the development conditions and requirements detailed in the Development Standards contained in Section II of this Plan; and

WHEREAS, the City has held two public hearings required by law to solicit input from all interested citizens and affected parties; and

WHEREAS, on February 2, 2011, the City's Planning and Zoning Commission recommended approval of the Owner's application for a PUD; and

WHEREAS, the City Council has reviewed the proposed Plan and determined that it promotes the health, safety, and general welfare of the citizens of Round Rock and that it complies with the intent of the Planned Unit Development Ordinance of the City;

NOW THEREFORE:

I.

GENERAL PROVISIONS

1. CONFORMITY WITH DEVELOPMENT PLAN

That all uses and development within the Property shall conform to the Development Standards included in Section II herein.

2. CHANGES AND MODIFICATIONS

No changes or modifications will be made to this Plan unless all provisions pertaining to changes or modifications as stated in Section II.21 below are followed.

3. ZONING VIOLATION

Any person, firm, corporation or other entity violating any conditions or terms of the Plan shall be subject to any and all penalties for the violation of any zoning ordinance provisions as stated in Section 1.9, Code of Ordinances, City of Round Rock, Texas, as amended.

4. MISCELLANEOUS PROVISIONS

4.1. Severability

In case one or more provisions contained of this Plan are deemed invalid, illegal or unenforceable in any respect such invalidity, illegality or unenforceability shall not affect any other provisions of this Plan and in such event, this Plan shall be construed as if such invalid, illegal or unenforceable provision had never been contained in this Plan.

4.2. Venue

All obligations of the Plan are performable in Williamson County, Texas, and venue for any action shall be in Williamson County.

4.3. Effective Date

This Plan shall be effective from and after the date of approval by the City Council.

II.

DEVELOPMENT STANDARDS

1. DEFINITIONS

Words and terms used herein shall have their usual force and meaning, or as defined in the Code of Ordinances, City of Round Rock, Texas, as amended, hereinafter referred to as "the Code".

2. PROPERTY

This Plan covers approximately 34.76 acres of land, located within the city limits of Round Rock, Texas, and more particularly described in **Exhibit "A"**.

3. PURPOSE

The purpose of this Plan is to ensure a Planned Unit Development (PUD) that: (1) allows for a mixture of complementary and transitional land uses, (2) is equal to or superior to development that would occur under the standard ordinance requirements, (3) is in harmony with surrounding land use patterns proposed in the General Plan, as amended, (4) does not have an undue adverse affect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utilities or any other matters affecting the public health, safety, and welfare of the citizens of the City of Round Rock, (5) is adequately provisioned by essential public facilities and services, and (6) will be developed and maintained so as to not dominate, by scale or massing of structures, the immediate neighboring properties or interfere with their development or use in accordance with any existing zoning district.

4. APPLICABILITY OF CITY ORDINANCES

4.1. Zoning and Subdivision Ordinances

The Property shall be regulated for purposes of zoning and subdivision by this Plan. All aspects not specifically covered by this Plan shall be regulated by the **C-1a (General Commercial - Limited), OF (Office), MF (Multi-Family), and OS (Open Space)** zoning districts, as best applies to the use of the Property and other sections of the Code, as applicable and

as amended. If there is a conflict between this Plan and the Code, this Plan shall supersede the specific conflicting provisions of the Code.

4.2. Other Ordinances

All other Ordinances within the Code shall apply to the Property, except as clearly modified by this Plan. In the event of a conflict, the terms of this Plan shall control.

5. MAXIMUM BUILDING AREA

The cumulative total building area, as defined in the Code, on the Property may not exceed **2,633,096 square feet**. The portions of any parking garages or other parking structures that are used for vehicle parking and related uses are not subject to this cumulative total building area.

6. PERMITTED USES, HEIGHT LIMITS AND SETBACKS

6.1. The following uses and mixed uses shall be permitted on the Property, with the limitations indicated:

Permitted Uses	Building[3] Height Limitation	Building Setbacks from:			Maximum Residential Units
		Hester's Crossing	Sundance Parkway	Other[4] Roads	
Office (OF)/ Research and Development / General Commercial - Limited (C-1a)	216 feet	8 feet	25 feet	15 feet	n/a
Hotel/General Commercial - Limited (C-1a)	216 feet	8 feet	25 feet	15 feet	n/a
Eating Establishment	45 feet[2]	8 feet	25 feet	15 feet	n/a
General Commercial - Limited (C-1a)	45 feet[2]	8 feet	25 feet	15 feet	n/a
Research and Development	60 feet	8 feet	25 feet	15 feet	n/a
Multifamily (MF)[1]/ Office (OF)/ General Commercial - Limited (C-1a)	75 feet	8 feet	25 feet	15 feet	70 units per acre or 800 units maximum

1. *Structured parking shall be provided to meet the MF parking requirement for a MF development of 45 units per acre or greater.*

2. *Decorative architectural features may exceed the stated height limitation by 15 feet.*

3. *Building height refers to the vertical distance from the highest point on a structure to the average ground level of the grade where the walls or other structural elements intersect the ground. When a building has varying finish floor elevations due to existing topography, height will be measured separately for each area with the same finish floor elevation. Height to be measured from the average finish grade elevation to the finish building height exclusive of decorative architectural features.*

4. *Building setbacks from other roads may be reduced to 10 feet if dry utilities (if any) are located within the road right-of-way such that there are no dry utilities between the road right-of-way and the building.*

7. PROHIBITED USES

The following uses are prohibited on the Property:

7.1. Sexually oriented businesses (as defined in the Code)

7.2. Pawn shops

8. BUILDING AND SITE ORIENTATION

In order to provide for a pedestrian oriented environment between office, retail and residential uses, the following design requirements shall be applied to the Property:

8.1. All buildings shall be oriented around greens, plazas or other open spaces, including secured interior courtyards.

8.2. Greens, plazas or open space shall meet the specifications found in **Section 19** below.

8.3. All buildings, open spaces and parking areas shall be connected with sidewalks and walkways.

9. OUTDOOR SALES AND DISPLAYS

Outdoor sales and displays shall meet the following requirements:

9.1. Permitted in conjunction with the use of a building only in areas designated on the site plan filed with the City for such building

9.2. May include outdoor cafés and outdoor dining areas, including outdoor seating for a food court, which meet the following requirements:

1) Located and operated as an integral part of the principal use;

2) Does not comprise a separate business use or a separate business activity;

3) The gross floor area of the outdoor seating area is included in the calculation for the off-street parking requirement

10. PROHIBITED BUILDING MATERIALS

The following materials are prohibited on the exterior walls of all buildings and structures:

10.1. Sheet, corrugated, and unfinished Aluminum

10.2. Asbestos

10.3. Galvanized Steel

10.4. Mirrored Glass (reflectivity of 35% or more).

11. SIDEWALKS

Sidewalks at least five (5) feet wide on both sides of the road, as detailed in **Exhibit "B"**, are required along all public roads (except State Highway 45).

12. SERVICE AND LOADING AREAS

12.1. In addition to the requirements of Section 46-195 (d) of the Code, the following shall apply:

1) Service areas will be screened from adjacent tracts and all adjacent public rights-of-way. **(See Figure 1)** Screening walls must be constructed of the same materials as the main building.

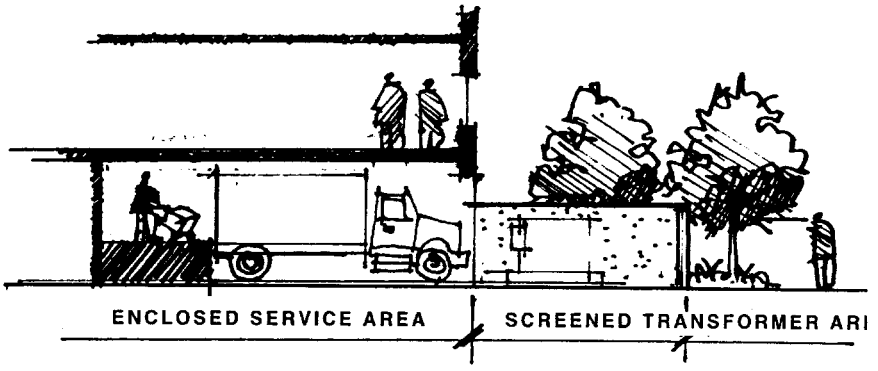


Figure 1

2) All loading and service areas shall be signed and loading spaces denoted on the pavement. The location of the loading areas and spaces shall be designed so as to not prohibit on-site vehicular circulation when occupied. Loading spaces shall be located directly in front of a loading door and loading areas shall be designed to accommodate backing and maneuvering on-site, not from a public street. Loading doors may not be located closer than fifty feet (50′) from a public or private right-of-way.

3) All delivery and utility vehicles stored on-site must be inside a closed building or within a screened portion of the site.

4) Trash storage enclosures must be of sufficient height to screen all refuse containers completely and must include a gate. Refuse storage areas must be designed to contain all refuse generated on-site between collections. **(See Figure 2)**

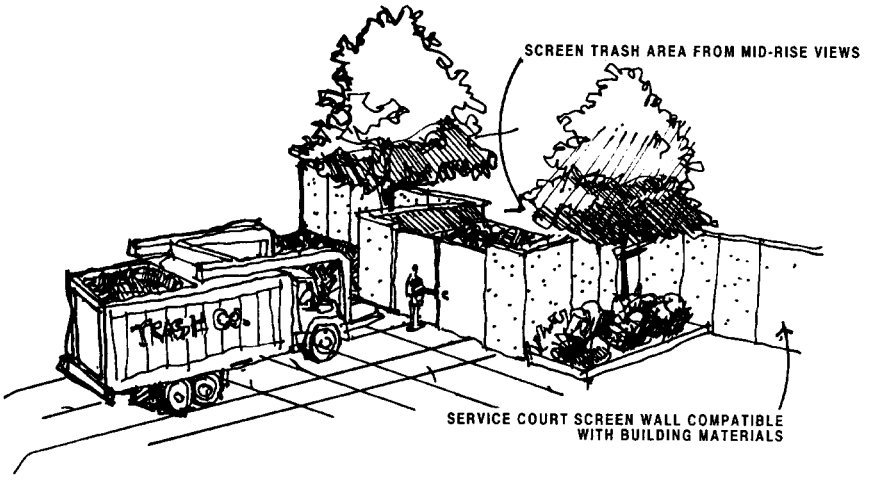


Figure 2

5) All ground-mounted service equipment (e.g., air conditioners, transformers, trash collection equipment) related to each building will be in enclosed service areas or in screened areas. Trash collection equipment areas must be paved, curbed, and internally drained.

12.2. In addition to the requirements of Section 46-142 (e)(2) of the Code, the following shall apply:

1) If roof decks with mechanical units are visible from any adjacent public roadway, the mechanical units must be screened and painted to match the finished roof material.

13. EXTERIOR LIGHTING

13.1. In addition to the requirements of Section 46-142 (e)(4) of the Code, the following shall apply:

1) **Parking Lot Fixtures:** The height of a fixture shall not exceed 30 feet. **(See Figure 3)**

2) **Open Space, Walkway and Passenger Drop-Off Areas:** The height of a fixture shall not exceed 15 feet. **(See Figure 3)**

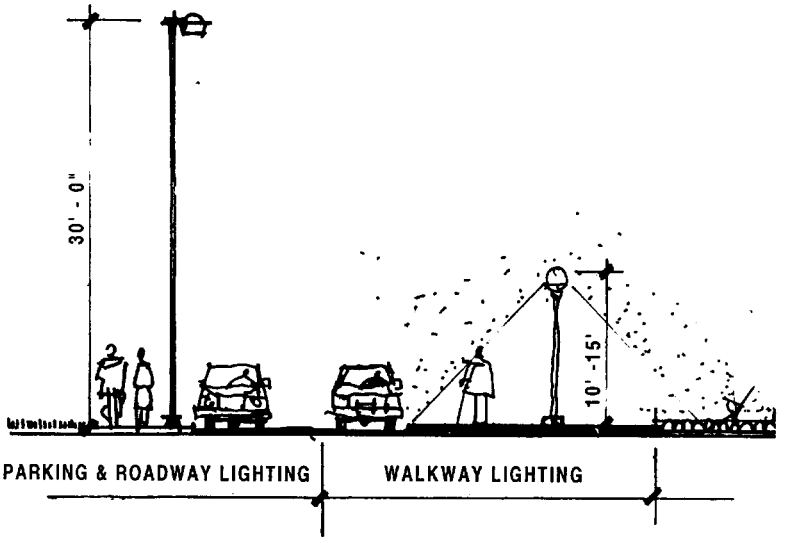


Figure 3

14. LANDSCAPING

13.1 In addition to the requirements of Section 46-195 of the Code, the following shall apply:

1) **Screening of Parking:** Landscaping provided between parking lots and public streets shall be planted within an area designated exclusively for landscaping and irrigation. This area shall be a minimum of eight feet (8') in width. **(See Figure 4)**

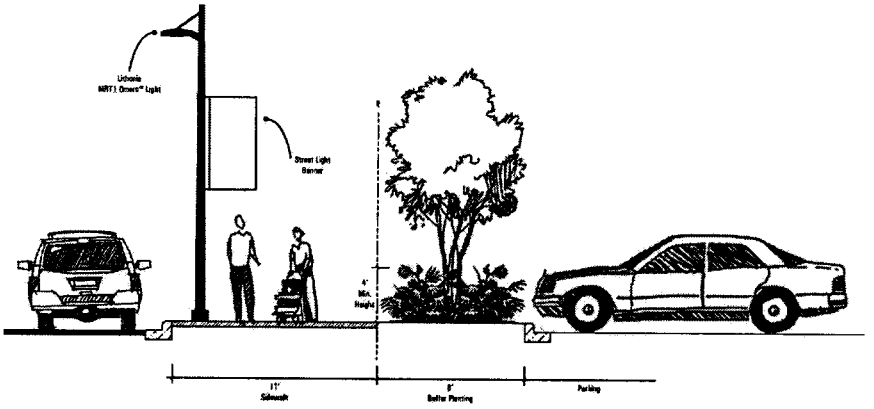


Figure 4

2) **Parking Areas:** All surface vehicular use areas and parking areas shall contain 90 square feet of landscape island(s) for every 12 parking spaces. Each landscape island shall be a minimum of 90 square feet and shall contain a minimum of one (1) tree for every 90 square feet. Parking garages or other parking structures shall be exempt from the requirement for parking lot landscaping.

15. RESIDENTIAL OFF-STREET PARKING REQUIREMENTS

The following table lists minimum off-street parking requirements for residential uses of the Property:

Off-Street Parking Requirements

Use	General Requirement	Additional Requirement
Village residential	2 per dwelling unit	Structured parking is required when the density of residential units exceeds 45 units per acre
Apartment	1 per 1-bedroom unit 2 per 2-bedroom unit 2 per 2+ bedroom unit	
Upper story residential	1 per bedroom	
Office	1 per 250 ft2 of net rentable area	none
Medical office building	1 per 200 ft2 of net rentable area	none

16. SIGNS

All freestanding signs on the Property shall be monument signs.

17. TRAFFIC IMPACT ANALYSIS

Development of the Property shall be in accordance with the approved Traffic Impact Analysis for PUD 39 (La Frontera West) on file with the City of Round Rock Director of Transportation Services. When uses are proposed at specific locations, additional analysis may be required by the City.

18. UNDERGROUND UTILITY SERVICE

Except where approved in writing by the Chief of Public Works Operations, all electrical, telephone and cablevision distribution and service lines, other than overhead lines that are three phase or larger, shall be placed underground.

19. OPEN SPACE AREAS

19.1. The Property will be developed to contain private open space areas in accordance with one of the following:

(1) A single open space area totaling a minimum of 1.50 acres meeting the following requirements, or

(2) A variety of open space areas totaling a minimum of 1.78 acres meeting the following requirements:

1. Minimum individual open space area size of 0.25 acre.
2. boundaries of not less than 75 feet in width as measured along the street frontage and not less than 30 feet deep. **(See Figure 5)**
3. 75% of the minimum open space area shall be open to the general public.
4. Sidewalks or trails a minimum of 8 feet wide connecting the open space areas, paved with concrete or decomposed granite (or functionally similar material).

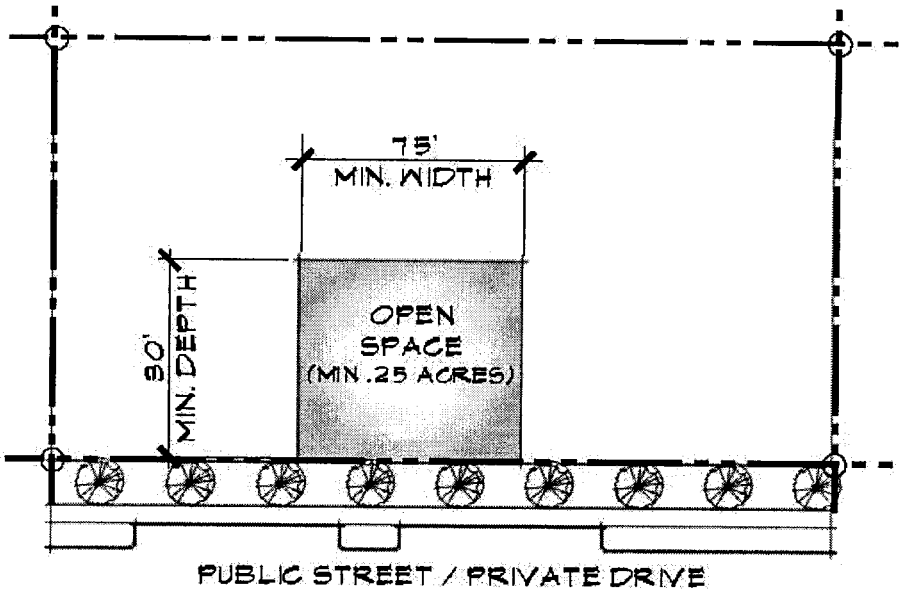


Figure 5

19.2. Open space areas shall be defined to include, greenbelts, parks, town greens, plazas, courtyards, amenity detention/retention areas, floodplain, and private parkland spaces if the area is designed to:

(1) contain a minimum of two of the following:

a. Six (6) picnic tables (or outdoor table and chairs) per acre.
b. Five (5) shade trees of a minimum four (4) inch diameter per acre.
c. Landscaping beds totaling at least 350 square feet for every 1,000 square feet of area with a minimum of four (4) shrubs with a minimum size of three (3) gallons each.
d. Hardscape areas totaling at least 400 square feet for every 1,000 square feet of area.
e. Other amenities approved by the City Parks and Recreation Director.

(2) have a minimum of 75 feet of:

a. Street frontage, or
b. Visibility corridor, with an access area no less than 20 feet wide from a public road or right-of-way. **(See Figure 6)**

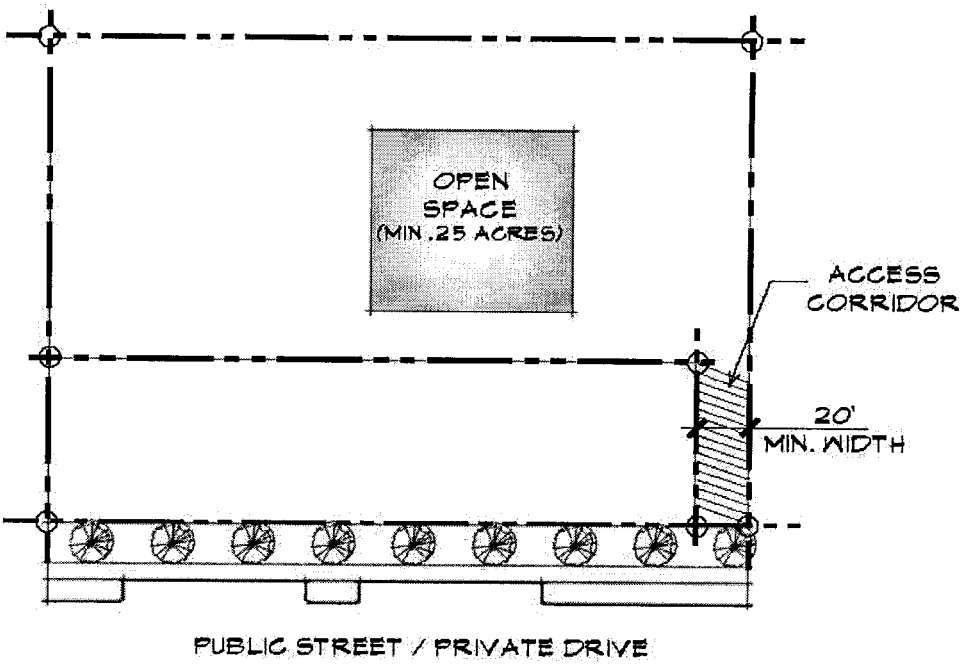


Figure 6

19.3. All permanent bodies of water such as lakes and retention ponds shall include an integrated management program to insure acceptable water quality and to maintain ecological balance of oxygen, nutrients, light and temperature. A minimum open space width of 30′ feet shall be required around the perimeter of lakes, as measured from the line of 25-year inundation to the edge of the open space. Aeration systems providing oxygen transfer and aerator fountains for aesthetic appeal shall be utilized as appropriate to the pond type, size and depth.

19.4. Stormwater facilities will not be allowed to count towards the open space area requirement unless approved in writing by the City Parks and Recreation Director.

19.5. All amenities contained within the open space areas will be installed or constructed by the Owner and maintained by the Owner, an owners association or similar entity, without any obligation for maintenance by the City.

19.6. There are no parkland dedication and no parkland fee requirements for the development of any portion of the Property.

19.7. Approval of any development permit or application, including a site development plan or subdivision plat, shall be conditional upon the submittal and acceptance of an updated list of private open space developed within the Property, until such a time as the requirements of this Section are met, as determined by the Director of Parks and Recreation.

19.8. The Property may be subdivided by multiple subdivision plats. The final subdivision plat will not be approved until such time as all of the open space area requirements of this section are fulfilled.

20. DEVELOPMENT PROCESS

This Plan serves as the Concept Plan required by the Code and approval of this Plan substitutes as a Concept Plan approval. Utility, drainage and other infrastructure information required by the Code are not approved with the approval of this Plan. Subsequent review and approval by the City of this infrastructure information shall be necessary. As required by City Code, the Owner shall be required to complete the remaining steps in the City's development process. This may include subdivision platting and site plan review. The subdivision platting process includes a Preliminary Plat and a Final Plat. A site development plan must be approved. No site development plan approval on the Property shall be granted until a Final Plat is recorded. No building permit on the Property shall be issued until the site development plan is approved by the Development Services Office.

21. CHANGES TO AGREEMENT AND DEVELOPMENT PLAN

21.1. Minor Changes

Minor changes to this Plan which do not substantially and adversely change this Plan may be approved administratively, if approved in writing, by the City Engineer, the Director of Planning and Community Development, and the City Attorney.

21.2. Major Changes

All changes not permitted under section 21.1 above shall be submitted following the procedure required for a new PUD application. Unless prohibited by law, the City reserves the right to rezone the Property or any portion thereof on its own motion or upon the application of any owner of property within the PUD.

22. GENERAL PLAN 2020

This Plan is in conformance with the Round Rock General Plan 2020, which was adopted on July 22, 2010. It is within the "Dell/La Frontera Mixed Use" area, which is characterized by high density mixed use development.

LIST OF EXHIBITS

EXHIBIT	DESCRIPTION
Exhibit "A"	Legal Description of Property
Exhibit "B"	Sidewalks

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

DESCRIPTION

FOR A 34.76 ACRE TRACT OF LAND SITUATED IN THE J. M. HARRELL SURVEY, ABSTRACT NO. 284, WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF A CALLED 43.50 ACRE TRACT OF LAND AS DESCRIBED IN THAT DEED TO SV-ONA LaFRONTERA LAND LIMITED PARTNERSHIP AND RECORDED IN DOCUMENT NO. 2006101706 OF THE OFFICIAL PUBLIC RECORDS OF SAID COUNTY, SAID 34.76 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" iron rod found with "Baker-Aicklen" cap for the most easterly northeast corner of said 43.50 acre tract, same being the northwest corner of Lot 1, Block G, Amending Plat of Lots 1 and 3, Block G, La Frontera Section IIIB, a subdivision recorded in Cabinet V, Slides 145 – 146 of the Plat Records of said county, being on the south right-of-way line Sundance Parkway (80' right-of-way width), for the most easterly northeast corner and **POINT OF BEGINNING** hereof;

THENCE with the east line of said 43.50 acre tract, same being with the west line of said Lot 1, Block G, Amending Plat of Lots 1 and 3, Block G, La Frontera Section IIIB **S 20° 29' 15" E** for a distance of **144.81** feet to a ½" iron rod found with "Baker-Aicklen" cap for the northeast corner of Lot 1, Block A, Frontera Vista, a subdivision recorded in Cabinet DD, Slides 288 – 290 of the Plat Records of said county, for an angle point hereof, from which a ½" iron rod found with "Baker-Aicklen" cap for an angle point on the east line of said 43.50 acre tract bears, S 20° 29' 15" E for a distance of 162.24 feet;

THENCE through the interior of said 43.50 acre tract, with the north and west lines of said Lot 1, Block A, Frontera Vista, the following two (2) courses and distances:

1) **S 80° 15' 02" W** for a distance of **761.81** feet to a ½" iron rod found with "Baker-Aicklen" cap for the northwest corner of said Lot 1, Block A, Frontera Vista, for an angle point hereof, and

2) **S 09° 44' 58" E** for a distance of **483.67** feet to a ½" iron rod found with "Baker-Aicklen" cap for the southwest corner of said Lot 1, Block A, Frontera Vista, being on the south line of said 43.50 acre tract, same being the north right-of-way line of State Highway No. 45 (right-of-way width varies), for the most southerly southeast corner hereof, from which a ½" iron rod found with "Baker-Aicklen" cap for the southeast corner of said 43.50 acre tract bears, N 80° 15' 02" E for a distance of 792.06 feet;

THENCE with the south line of said 43.50 acre tract, same being the north right-of-way line of said State Highway No. 45, **S 80° 15' 02" W** for a distance of **894.47** feet to a TXDOT type II brass disc found for the southwest corner of said 43.50 acre tract, same being the intersection of the north right-of-way line of said State Highway No. 45 and the east right-of-way line of Old County Road 172, for the southwest corner hereof;

THENCE with the west line of said 43.50 acre tract, same being the east right-of-way line of said Old County Road 172, **N 17° 41' 09" W** for a distance of **1397.34** feet to a ½" iron rod found with "Baker-Aicklen" cap for the northwest corner of said 43.50 acre tract, same being the intersection of the east right-of-way line of said Old County Road 172 and the south right-of-way line of Hesters Crossing (100 foot right-of-way width), for the northwest corner hereof;

THENCE with the north line of said 43.50 acre tract, same being the south right-of-way line of said Hesters Crossing, the following three (3) courses and distances:

1) with the arc of a curve to the left, having a radius of **1055.00** feet, an arc length of **272.67** feet, a central angle of **14° 48' 31"**, and a chord which bears, **N 64° 55' 47" E** for a distance of **271.91** feet to a ½" iron rod found with "Baker-Aicklen" cap for a point of reverse curvature hereof,

2) with the arc of a curve to the right, having a radius of **950.00** feet, an arc length of **154.48** feet, a central angle of **09° 19' 00"**, and a chord which bears, **N 62° 11' 02" E** for a distance of **154.31** feet to a ½" iron rod found with "Baker-Aicklen" cap for a point of tangency hereof, and

3) **N 66° 50' 32" E** (Basis of Bearings) for a distance of **338.34** feet to a ½" iron rod found with "Baker-Aicklen" cap for a point of curvature hereof;

THENCE with the curving intersection of the south right-of-way line of said Hesters Crossing and the west right-of-way line of said Sundance Parkway, with the arc of a curve to the **right**, having a radius of **15.00** feet, an arc length of **23.56** feet, a central angle of **90° 00' 00"**, and chord which bears, **S 68° 09' 28" E** for a distance of **21.21** feet to a ½" iron rod found with "Baker-Aicklen" cap for a point of tangency hereof;

THENCE with the north line of said 43.50 acre tract, same being the west and south right-of-way line of said Sundance Parkway, the following two (2) courses and distances:

1) **S 23° 09' 28" E** for a distance of **234.48** feet to a ½" iron rod found with "Baker-Aicklen" cap for a point of curvature hereof, and

2) with the arc of a curve to the **left**, having a radius of **940.00** feet, an arc length of **1354.10** feet, a central angle of **82° 32' 12"**, and a chord which bears, **S 64° 25' 34" E** for a distance of **1240.02** feet to the **POINT OF BEGINNING** and containing 34.76 acres of land.

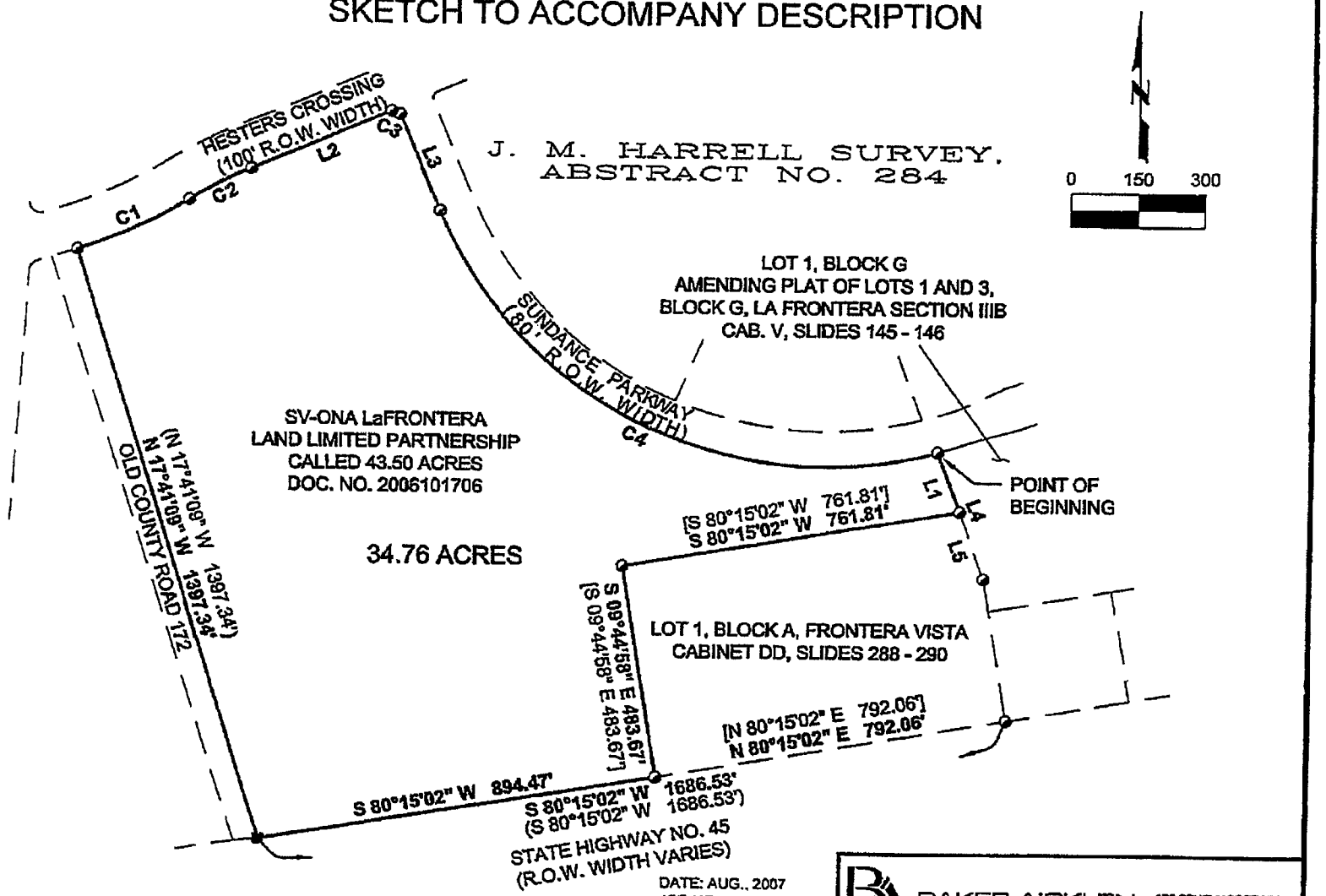
Surveyed under the direct supervision of the undersigned during August, 2007:

Margaret A. Nolen
Registered Professional Land Surveyor No. 5589
BAKER-AICKLEN & ASSOCIATES, INC.
405 Brushy Creek Road
Cedar Park, Texas 78613
(512) 260-3700

STATE OF TEXAS
REGISTERED
MARGARET A. NOLEN
5589
PROFESSIONAL
LAND SURVEYOR

Job No.:
Filename:
W:\PROJECTS\LAFRONTERA\PROJECTS\BLOCK C LESS VISTA\PROJECT\SKETCH PUD\METES AND BOUNDS\LA FRONTERA BLOCK C LESS VISTA.DOC

SKETCH TO ACCOMPANY DESCRIPTION



DATE: AUG., 2007
JOB NO.:
BY: M. NOLEN
PAGE 4 OF 5

BAKER-AICKLEN & ASSOCIATES, INC.
Engineers • Surveyors • GIS • Planning
405 BRUSHY CREEK RD.
CEDAR PARK, TX 78613
512 260 2700

W:\PROJECTS\LAFRONTERA\PROJECTS\BLOCK C LESS VISTA\PROJECTS\KETCH PUD\DWG\LA FRONTERA BLOCK C LESS VISTA dwg [PAGE 4] December 18, 2007 - 7:45am

SKETCH TO ACCOMPANY DESCRIPTION

NUMBER	RADIUS	ARC	CEN. ANGLE	CH. BRG.	CHORD
C1	1055.00' (1055.00')	272.67' (272.67')	14°48'31" (14°48'31")	N 64°55'47" E (N 64°55'47" E)	271.91' (271.91')
C2	950.00' (950.00')	154.48' (154.48')	09°19'00" (09°19'00")	N 62°11'02" E (N 62°11'02" E)	154.31' (154.31')
C3	15.00' (15.00')	23.56' (23.56')	90°00'00" (90°00'00")	S 68°09'28" E (S 68°09'28" E)	21.21' (21.21')
C4	940.00' (940.00')	1354.10' (1354.10')	82°32'12" (82°32'12")	S 64°25'34" E (S 64°25'34" E)	1240.02' (1240.02')

NUMBER	BEARING	DISTANCE
L1	S 20°29'15" E	144.81'
L2	N 66°50'32" E (N 66°50'32" E) BASIS OF BEARINGS	338.34' (338.34')
L3	S 23°09'28" E (S 23°09'28" E)	234.48' (234.48')
L4	S 20°29'15" E (S 20°29'15" E)	307.05' (307.05')
L5	S 20°29'15" E [S 20°29'15" E]	162.24' [162.24']

◐ 1/2" IRON ROD FOUND WITH "BAKER-AICKLEN" CAP

■ TXDOT TYPE II BRASS DISC FOUND

( ) RECORD BEARING AND DISTANCE PER DOC. NO. 2006101706

[ ] RECORD BEARING AND DISTANCE PER CAB. DD, SLIDE 288 - 290

DATE: AUG., 2007
JOB NO.:
BY: M. NOLEN
PAGE 5 OF 5

BAKER-AICKLEN & ASSOCIATES, INC.
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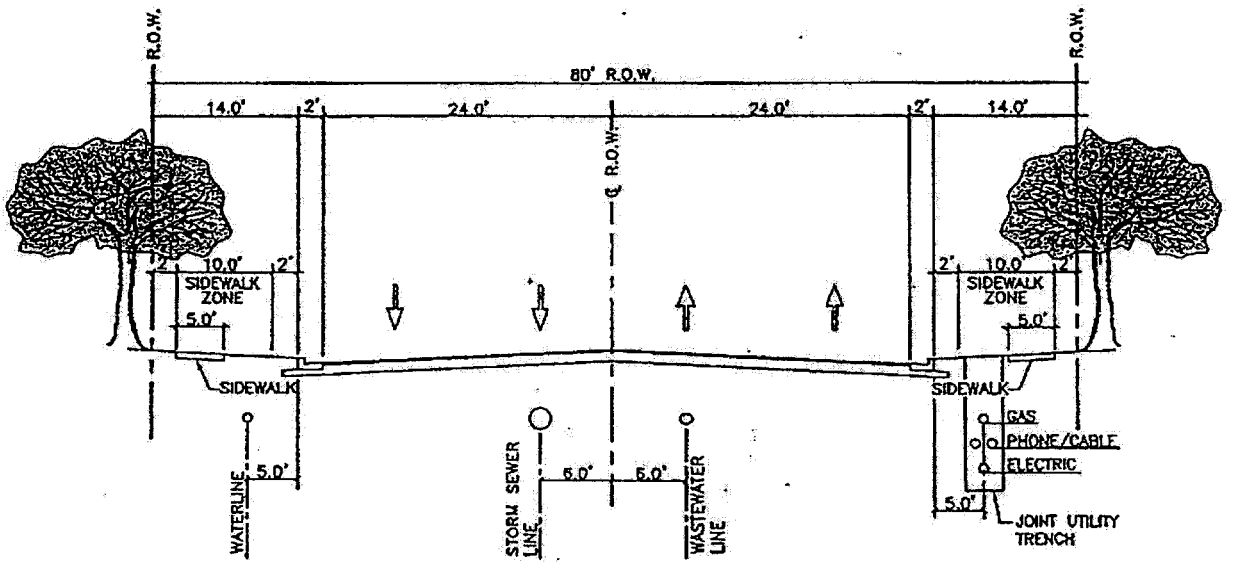
CEDAR PARK, TX 78613
512 260 2700

EXHIBIT B

SIDEWALKS



ROUND ROCK, TEXAS
PURPOSE. PASSION. PROSPERITY.

City Council Agenda Summary Sheet

Agenda Item No.	9A1.
Agenda Caption:	Consider an ordinance rezoning 34.76 acres of land from the Planned United Development No. 39 zoning district to the Planned Unit Development No. 89 zoning district – Frontera Vista. (First Reading)
Meeting Date:	March 10, 2011
Department:	Planning and Community Development
Staff Person making presentation:	Peter Wysocki Planning and Community Development Director

Item Summary:
The proposed rezoning is for a 34.76 acre undeveloped portion of PUD 39, which contains approximately 194 acres and was approved in February of 1999. Uses allowed in PUD 39 include multi-family, commercial, office, and hotel, with a maximum of 6.1 million square feet of total building area and a total of 900 multi-family units. A 9.4 acre portion of PUD 39 was subsequently rezoned as PUD 70 to provide for a higher density of multi-family units. A total of three multi-family complexes containing a total of 1,129 units have been built within PUD 39 and PUD 70.

The City's adopted General Plan 2020 designates this area for a mix of residential, commercial, office and employment uses, including a concentrated cluster of mid-rise to high-rise buildings. With its location at the intersection of IH-35 and SH-45, the Dell / La Frontera Mixed Use area benefits from the highest number of daily traffic trips in the City, making it appropriate for high density development.

The proposed PUD 89 would allow for approximately 2.6 million square feet of building area, including 800 multi-family units at a maximum density of 70 units per acre. The proposed maximum building height for multi-family, office and commercial structures is 75 feet (approximately 6 stories). The proposed building height for other structures, including hotels and research and development facilities is 216 feet (approximately 18 stories).

The land uses and development standards for the proposed PUD will remain essentially the same as those that have been applied to PUD 39. Building and site orientation requirements have been added in order to provide for a pedestrian oriented design between office, retail and residential uses. All buildings must be oriented around greens, plazas, courtyards or other open spaces, which must be connected to the buildings and parking areas with sidewalks and walkways. The open areas will be privately owned and maintained, but at least 75% of them must be accessible to the general public. The PUD contains detailed standards for the design and function of these private open space areas.

A wastewater analysis of the development proposed in this PUD was provided by the applicant and accepted by the City. The analysis indicated that there is sufficient capacity for the proposed development in the lines serving the area. In addition, a Traffic Impact Assessment (TIA) was provided by the applicant for this development and it was approved by the City. As individual developments are proposed and land uses are identified for specific locations, these analyses may need to be updated. The Fire Department has no objection to the proposed building heights or densities, as all buildings and areas must meet the standards provided in the International Fire Code and other life safety codes.

ROUND ROCK, TEXAS
PURPOSE. PASSION. PROSPERITY.

City Council Agenda Summary Sheet

Strategic Plan Relevance:
Goal 1 – Diversity of housing types

Cost:	N/A
Source of Funds:	N/A
Date of Public Hearing (if required):	Public notice was posted and a public hearing was held in accordance with the City of Round Rock's Zoning Ordinance at the Planning and Zoning Commission meeting on February 2, 2011.
Recommended Action:	Approval The Planning and Zoning Commission recommended approval of the rezoning (5-0) at their meeting on February 2, 2011.